26. (New) An ~~isolated~~ nucleic acid encoding a peptide according to ~~claim~~ 24.

REMARKS

Reconsideration of this application and entry of the foregoing amendments are respectfully requested.

The claims have been revised to define the invention with additional clarity. Newly presented claim 24 corresponds essentially to original claims 15 and 16, claim 25 to claim 17, and claim 26 to claim 18. The claims as presented are fully supported by an enabling disclosure.

Claims 1, 3-8 and 10-14 stand rejected under 35 USC 112, second paragraph, as allegedly being indefinite. Withdrawal of the rejection is submitted to be in order for the reasons that follow.

Claims 1 and 3 have been amended to recite 'following step a, b or c' before step (d), to clarify that step (d) is to be applied to parts (a)-(c).

Part (a) of claim 1 has been amended to recite 'an acetylated E2F polypeptide or an acetylated E2F peptide'. Parts (c) and (d) of claim 1 and claim 4 have been similarly amended to clarify the nature of the peptides recited.

Claim 4 has been amended to recite 'if the test compound does not disrupt the interaction between P/CAF and E2F'. Basis for this revision is found at page 28, lines 19-20, of the subject application.

Claim 4 recites 'an agent which modulates interaction between P/CAF and E2F'. The claim covers any agent that modulates the interaction, whether positively or negatively. Inhibitors of the interaction are therefore covered by the claim.

Claims 5 and 8 have been amended to recite 'ability to affect one or more of (i)…(ii)…(iii) and (iv)' thereby clarifying which options are included in the claim.

Claims 12 has been amended to recite '…providing nucleic acid' to clarify that the claim covers peptides and nucleic acids. Claim 14 has been deleted.

The Examiner asserts that method claims 12 does not provide any of the steps that define the claimed method. However, the claim clearly states 'providing [an] agent…to cells'.

In view of the above, reconsideration is requested.

Claims 15-18 stand rejected under 35 USC 112, first paragraph, as allegedly being non-enabled (it appears from the Examiner's comments that the inclusion of claim 11 in the rejection was intended - clarification is requested).

The Examiner appears to be interpreting claim 11 as if it were drawn to a pharmaceutical composition for use in a method of treatment. However, the claim merely defines the composition of claim 10 as one containing 'a pharmaceutically acceptable excipient' - no reference is made to the intended use of such a formulation. Pharmaceutically acceptable excipients are well known in the art and are readily available and are suitable for use in a multitude of settings. Examples are given in the specification at page 56, line 24 - page 57, line 4, also with citation of a standard reference book in the art (Remington's Pharmaceutical Sciences, 16th edition, Osol, A (Ed), 1980)). Preparation of a composition required by claim 11 would thus place no undue burden on the skilled person. The skilled person only has to take the claimed material and formulate it with any available pharmaceutically acceptable excipient. This would not require any further experimentation of the sort implied by the Examiner, as the claim does not imply any necessity for the composition to be used in a method of treatment.

Claim 14 has been cancelled.

New claim 24 corresponds essentially to now cancelled claims 15 and 16. Claim 24, however, recites 'acetylation

of E2F by P/CAF' instead of 'interaction between E2F and P/CAF'.

The claim is consistent with the teaching of the specification, as the site within E2F which is acetylated by P/CAF is disclosed in the description and recited in the claim. A peptide according to claim 24 will span at least part of the acetylation site within E2 and hence interfere with the acetylation of E2F by P/CAF.

Claims 25 and 26 depend from claim 24 so should be acceptable.

Reconsideration is requested.

Claim 9 has been amended to correct an obvious typographical error.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached pages are captioned "**Version With Markings To Show Changes Made**."

KOUZARIDES -- Serial No.: 09/700,417

This application is submitted to be in condition for allowance and a Notice to that effect is requested.

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

1. (Amended) An assay method for an agent which affects E2F acetylation, the method including:

(a) treating an acetylated E2F polypeptide or an acetylated E2F peptide with a test compound, or

(b) treating with a test compound an E2F polypeptide or an acetylated E2F peptide which comprises one or more lysine residues corresponding to those found at positions 117, 120 and 125 in wild-type E2F1, in which polypeptide or peptide one or more of said lysines is not acetylated, or

(c) bringing into contact a substance which includes a P/CAF polypeptide which acetylates E2F, a substance which includes an E2F polypeptide or an E2F peptide including a site acetylated by P/CAF, and a test compound;

and, following step a, b or c,

(d) determining acetylation of the E2F polypeptide or E2F peptide.

3. (Amended) An assay method for an agent which affects E2F activity, the method comprising:

(a) providing an E2F polypeptide which activates transcription from a promoter including an E2F binding site, a test compound, and a reporter construct including a promoter which includes an E2F binding site and which is operably linked to a reporter sequence for transcription thereof, under conditions wherein, in the absence of the test compound being an inhibitor of E2F acetylation, the reporter sequence is transcribed, or

(b) providing an E2F polypeptide which activates transcription from a promoter including an E2F binding site, which polypeptide comprises one or more lysine residues corresponding to those found at positions 117, 120 and 125 in wild-type E2F1, and in which polypeptide or peptide one or more of said lysines is not acetylated, a test compound, and a reporter construct including a promoter which includes an E2F binding site and which is operably linked to a reporter sequence for transcription thereof, under conditions wherein if the test compound promotes acetylation of E2F the reporter sequence is transcribed, or

(c) providing an E2F polypeptide which interacts with P/CAF and activates transcription from a promoter including an E2F binding site, a P/CAF polypeptide which interacts with E2F, a test compound, and a reporter construct

including a promoter which includes an E2F binding site and which is operably linked to a reporter sequence for transcription thereof, under conditions wherein, in the absence of the test compound being an inhibitor of interaction between P/CAF and E2F, the reporter sequence is transcribed;

and, following step a, b or c

(d) determining promoter activity.

4. (Amended) An assay method for an agent which modulates interaction between P/CAF and E2F, the method including:

(a) bringing into contact a first substance including a P/CAF polypeptide or a P/CAF peptide, a second substance including an E2F polypeptide or an E2F peptide, and a test compound under conditions in which, [in the absence] if [of] the test compound [being an inhibitor] does not disrupt the interaction between P/CAF and E2F, the first and second substances interact; and

(b) determining interaction between the first and second substances, no link between the outcome of determining the interaction and the agent

5. (Amended) An assay method for an agent which affects one or more of (i) ability of E2F to stimulate

transcription, (ii) induction of S-phase in cells, (iii) oncogenicity of cells, and[/or or] (iv) induction of apoptosis in cells, the method comprising:

(a) bringing into contact P/CAF and a test compound, and

(b) determining P/CAF acetyltransferase activity;

wherein a test compound which inhibits P/CAF acetyltransferase activity is identified as a candidate said agent.

8. (Twice Amended) A method according to claim 5 wherein a test compound which inhibits P/CAF acetyltransferase activity is further tested for ability to affect one or more of (i) ability of E2F to stimulate transcription, (ii) induction of S-phase in cells, (iii) oncogenicity of cells, and[/or or] (iv) induction of apoptosis in cells.

9. An assay method for an agent which interacts with a region of P/CAF or a region of E2F, which region of P/CAF interacts with E2F and which region of E2F interacts with P/CAF, a said agent which interacts with a said region being a candidate modulator of interaction between P/CAF and E2F, the method including:

(a) bringing into contact a substance which includes a P/CAF peptide which interacts with E2F, or which includes an E2F peptide which interacts with P/CAF, and a test compound; and

(b) determining interaction between said substance and the test compound.

12. (Twice Amended) A method according to claim 1 further comprising providing a said agent, or, where said agent is peptidyl, providing nucleic acid encoding a said agent, to cells to modulate one or more of (i) ability of E2F to stimulate transcription in the cells, (ii) induction of S-phase in the cells, (iii) oncogenicity of the cells, and (iv) induction of apoptosis in the cells.